

Unsealed

~~Sealed~~

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6309-CR-SEITZ/GARBER(S) (S)

UNITED STATES OF AMERICA,
Plaintiff,

v.

UNDER SEAL

DAVID BELL,
Defendant.

EX PARTE SEALED MOTION FOR REVOCATION OF BOND
AND APPLICATION FOR ARREST WARRANT FOR DEFENDANT DAVID BELL

The United States of America, through its undersigned attorneys, pursuant to Title 18, United States Code, Section 3148(b), files this Ex Parte Motion for Revocation of Bond and application for an arrest warrant for defendant DAVID BELL, for violations of federal law as set forth below.¹

1. On October 26, 2000, codefendant JOHN MAMONE was arrested after being charged with eighteen other persons with various violations of federal law, including RICO conspiracy, loansharking and money laundering, among other crimes. In the indictment, defendant BELL was identified as one of the members of a crew which is the South Florida faction of the Trafficante Crime Family.

2. On October 27, 2000, defendant BELL was released on

¹ The government is filing a simultaneous Motion for Revocation of Bond and application for Arrest Warrant for codefendant JOHN MAMONE.

5/2/8

\$25,000 corporate surety bond with a Nebbia requirement and \$250,000 personal surety bond after a hearing before Magistrate Judge Barry S. Seltzer. One of the conditions of the bond was that the defendant would not commit a state or federal criminal violation.

3. On January 30, 2001, a grand jury returned a 93-count superseding indictment in this case. At that time the Court continued defendant's bond with no objection from the government.

4. On August 14, 2001, a federal grand jury sitting in Fort Lauderdale returned a sealed second superseding indictment, charging JOHN MAMONE, DAVID BELL, JOHN O'SULLIVAN, and eleven other persons with various acts of racketeering, including RICO conspiracy, loansharking, money laundering, receiving stolen property, illegal gambling, among other crimes.

VIOLATIONS WHILE ON BOND SINCE OCTOBER 27, 2000

5. The government submits that the defendant's bond should be revoked and an arrest warrant should be issued. Since being released on bond, the defendant has committed criminal acts requiring that his bond be revoked. In short, since October 2000, the defendant has committed several violations of federal law involving sale and receipt of stolen goods in violation of Title 18, United States Code, Section 2315.

BACKGROUND OF SECTION 2315 VIOLATION(RECEIPT OF STOLEN GOODS)

6. In early December 2000, while under house arrest, codefendant JOHN MAMONE represented a company called First Choice in the negotiation of a sub-hauling contract with a company called Keystone, which was a transportation company located in New Jersey. Defendant BELL was employed by First Choice as a manager. BELL's father in law, John Manning, was the owner on record of the company. First Choice, through MAMONE, had agreed to assist Keystone by hauling goods from South Florida to the West Coast of the United States. Among the goods to be hauled were various clothing lines, including Tommy Hilfiger, Levi Strauss and Ralph Lauren.

7. Although MAMONE negotiated the contract with Keystone, codefendant DAVID BELL was involved in the day to day operation of First Choice.

8. Under this oral contract, four loads were actually transported in December of 2000. One of the loads was delivered to the ultimate destination by First Choice but there was a portion of the load missing. Keystone estimated that goods valued at approximately \$40,000 were not delivered. The goods that were stolen from this shipment consisted of shirts and jeans from manufacturers such as Tommy Hilfiger, Levi Strauss and Ralph Lauren.

9. During early 2001, and prior to cooperating with the government, a CW informed the FBI that he had participated with BELL, MAMONE and O'SULLIVAN in selling some of the stolen clothing that was taken from the First Choice shipments during the month of December 2000. The CW stated that he routinely socialized with BELL during this period of time. Through direct conversations with BELL and the others, he was aware that BELL and MAMONE planned the theft of the cargo and each shared in the illegal profits. According to the CW, O'SULLIVAN, BELL and the CW actively sold the stolen goods to various sources.

10. Since December 2000, MAMONE's home telephone has been monitored pursuant to Court Order relating to house arrest. During that time period (from December, 2000, to the present), according to monitored conversations, O'SULLIVAN visited MAMONE on approximately thirty occasions. MAMONE and O'SULLIVAN also spoke on the telephone on nearly one hundred occasions.

11. On July 3, 2001, in a recorded conversation with the CW, O'SULLIVAN acknowledged that MAMONE had received \$5,000 from the sale of some of the goods that were stolen during December 2000 by defendant BELL and others. O'SULLIVAN confirmed that he had delivered the money to MAMONE while MAMONE was under house arrest. In a further conversation, O'SULLIVAN stated to the CW that MAMONE told him that he (MAMONE) had had a previous conversation with BELL about payment for the stolen goods.

WHEREFORE, because the defendant BELL has committed the aforementioned federal crimes while on bond, the government respectfully requests that the Court revoke defendant's bond and issue an arrest warrant.

Respectfully submitted,

GUY E. LEWIS
UNITED STATES ATTORNEY

By: 

for J. BRIAN MCCORMICK
ASSISTANT UNITED STATES ATTORNEY
Court I.D. #A5500084
500 East Broward Blvd., Suite 700
Fort Lauderdale, FL 33394
Telephone: (954) 356-7392
Fax: (954) 356-7230

By: 

for DIANA L.W. FERNANDEZ
ASSISTANT UNITED STATES ATTORNEY
Court I.D. #A5500017
500 East Broward Blvd., Suite 700
Fort Lauderdale, FL 33394
Telephone: (954) 356-7392
Fax: (954) 356-7230

United States District Court

SOUTHERN

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

V.

DAVID BELL

WARRANT FOR ARREST

CASE NUMBER: 00-6309-CR-SEITZ(S)(S)

**TO: The United States Marshal
and any Authorized United States Officer**

YOU ARE HEREBY COMMANDED to arrest DAVID BELL

Name

and bring him forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☒ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him with (brief description of offense) violations of federal law while on bond

in violation of Title 18 United States Code, Section(s) 3148(b)

PATRICIA A. SEITZ

Name of Issuing Officer

UNITED STATES DISTRICT JUDGE

Title of Issuing Officer

Signature of Issuing Officer

Miami, Florida

Date and Location

Bail fixed at \$ Pre-Trial Detention

PATRICIA A. SEITZ
by UNITED STATES DISTRICT JUDGE

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

BLG

U.S. District Court
FLS - Southern District of Florida FtLauderdale

CRIMINAL DOCKET FOR CASE #: 00-CR-6309

USA v. Raffa, et al.
Assigned to: Patricia A. Seitz

Filed: 10/24/00

Dkt # in other court: None

08/14/01	516	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/14/01	517	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/14/01	518	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/14/01	519	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/14/01	520	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/15/01	512	SEALED DOCUMENT (sp) [Entry date 08/16/01]
08/15/01	513	SEALED DOCUMENT (sp) [Entry date 08/16/01]
08/15/01	514	ORDER as to John Mamone denying [413-1] motion to alter certain conditions of pretrial release as to John Mamone (2) (Signed by Magistrate Stephen T. Brown on 8/14/01) [EOD Date: 8/16/01] CCAP (dg) [Entry date 08/16/01]
08/15/01	521	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/15/01	522	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/16/01	523	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/17/01	524	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/17/01	525	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/17/01	526	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/17/01	527	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/17/01	528	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/17/01	529	SEALED DOCUMENT (sp) [Entry date 08/21/01]
08/20/01	515	NOTICE of filing letter regarding pending discovery issues by Fred Morgenstern (dg) [Entry date 08/21/01]

Attached to D.E. # 522